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**MEETING MINUTES DREDGE MANAGEMENT TASK FORCE
(DMTF) June 30, 2004**

The meeting was held on Wednesday, June 30, 2004 from 1:00 to 2:30 PM, at NH Fish and Game, Region 3 in Durham, NH.

Chairman Mazerski added two items to the Other Business/Minor Projects section of the agenda: Shellfish Restoration and Off Shore Disposal. He then asked attendees to introduce themselves (See attached attendance).

1. Review of Minutes (Meeting of 5/5/04) Bruce Smith, NHF&G, asked if the word "send" on page 3, sentence number 7 be deleted. Clare McBane, NHF&G asked if the word "to" in the second sentence up from the bottom of the same paragraph be deleted. The minutes will be corrected to reflect the changes. No other comments were heard. Approved.

2. River St. Cut Section 227 Project: Seabrook Harbor- Contract Status (COE), Abutters (PDA) COE (Duban Montoya) said the initial schedule to open bids was to be July 1, 2004 but there have been two amendments issued: the material requirements for the wall will be changed from strictly vinyl to vinyl and composites and correction of a typographical error in the original specs that called for a different number that would make a difference in material costs. The bids will open on July 9, 2004. Chair asked how long is the bid period. Montoya answered 30 days; he expected the contract to be awarded early August. He continued by saying a contractor visited Seabrook on June 30, 2004 and found that a house is being constructed at the end of River Street. Montoya doesn't expect any problems and assumes the owner has the proper permits from DES. He contacted Geno Marconi to inform. Chair asked if the timing of the wall construction will meet the dredge window. Affirmative. Contractor should be on-site late September or early October. One of the DES permit conditions is that there be a meeting with COE, contractor, DES and perhaps members of the DMTF before construction begins. Chair suggests only the critical decision makers be at such a meeting. DES/Wetlands Bureau (Frank Richardson) said the important thing is to review the conditions on the permit with the contractors.

Chair asked if there were any questions. F&G (Bruce Smith) referred to the minutes from 5/5/04 meeting at which it was stated NMFS (Mike Johnson) would provide COE with further input on the dredge window. Johnson said there will be no changes in the scheduled dredging window and that the turbidity from the sheet pile work will be controlled. Chair asked if the notification of abutters has been completed. ACOE (Montoya) said the notification process is complete adding that the contractor is required

to notify local mariners and to place notice in local newspapers. NH State Representative from Seabrook, Ben Moore, stated that the notification has been in the local papers and that the Yankee Fishermen's Coop, an abutter, has signed off. He continued by saying he has received a copy of the plans and agrees with the designs. He is sure his constituents will be pleased at the amount of dredging that will happen in the Blackwater River. There was no further discussion.

3. Sagamore Creek: Planning, Encroachments (COE/PDA) Chair asked about the status of the eel grass issue. UNH/Jackson Lab (Fred Short) said he sent maps of the eel grass distribution areas to COE (Mike Walsh) last winter. Short suggests the dredging method be modified to create a graduated slope so that the eel grass can reestablish. COE (Montoya) said they use a 3:1 slope but Short said that is too steep. COE (Rich Roach) said perhaps it could be modified but would be more costly and cost would have to be shared. He suggested that a mitigation plan be considered. COE (Ed O'Donnell) stated that they need to resolve the encroachment issue before they can do much of anything but that surveys are going to be done soon (mid-July) to see what is there. NMFS (Johnson) said they also sent suggested methodologies for surveying eel grass areas to the COE. COE (O'Donnell) stated they have done sample testing of the material to be dredged and have concluded that it is suitable to be placed off Wallis Sands beach. COE (O'Donnell) added that funding through the normal processes for the Sagamore Creek project will be tough because the COE is prioritizing projects and funding is based on commercial benefits. The Sagamore Creek project falls out of the priority system because of a lack of enough commerce. He said any information or documentation they receive that points out commercial value to the community will be used to make a case for funding. Chair asked COE (Rich Roach) to speak about encroachments. Roach stated that he has called Mr. Nadeau, owner of Witch's Cove Marina but Roach has not received a return call. Owner has his docks extended so that they encroach into the federal channel. The docks need to be moved back about 18' and Mr. Nadeau said he would consider the COE request. COE may have to suspend Mr. Nadeau's permit and modify it negatively if he doesn't move the docks. Roach asked if the NH Wetlands Bureau would assist the COE in trying to persuade Mr. Nadeau to comply. Wetlands Bureau (Frank Richardson) asked if Nadeau has reconfigured anything. COE (Roach) said he didn't know. Richardson said he will look at aerial photos of the former marina from a time period when repairs on pilings and docks were being made. He also suggested they get a statement from the DPH on the fact that Nadeau's docks are in the navigational channel and perhaps the two agencies can work together to get the owner to move the docks and floats. Chair asked if there is a state permit. Richardson said the Wetlands Bureau has a plan on file from the previous owner (Mike's Marina) but there may be a claim of grandfathering. Under the new ownership it should be a conforming structure at least to the point that it is out of the federal channel. Roach suggested the COE, DES, and Harbormaster go to speak with Mr. Nadeau to see what he has done in the way of modifications. Richardson said that when the Wetlands Bureau approves any structure in a tidally influenced area one of the requirements is a letter from the Harbormaster stating that the structure is not impeding navigation. Roach said that Nadeau claims the lobster pots are more of a navigational hindrance than his marina and that there are three lobster boats on moorings in the middle of the creek while his marina is on the edge, so the issue has its complications. Roach

said that one marina owner should not be allowed to frustrate the desires of the rest of the people who would like the channel dredged. COE (O'Donnell) said there shouldn't be any moorings at all in the middle of the channel. Roach said that DPH (Marconi) intends to have those moorings removed before the dredging occurs. Roach suggested the creation of an anchorage near the top of the channel by dredging adjacent to it so there would be room on the side for moorings for commercial fishing boats. He would also like to have the old documents investigated regarding the downstream public landing that was supposed to be installed as one of the conditions. Chair asked if PDA would look into it. PDA (Mike Yeager) said he will pass it on to Geno Marconi.

4. Cocheco River Dredging Planning (COE/DES-WM/Dover/PDA) – funding,

planning, MOAs (COE) COE (Ed O'Donnell) said they are still working on getting the MOA signed. There is no template so the legal team is scrutinizing it carefully. Dredge is scheduled to start in November. Chair asked if there could be problems getting the MOA completed because of a lack of a template. O'Donnell said it will likely go through without too much trouble. Chair said DES (Mike Sills) has said that things are on track with this project. Steve Bird (Dover) said there have been questions about the MOA from Washington and he views that as an encouraging sign. He said that the Congressional delegation sees July 16, 2004 as the target date. Bird spoke about the meeting on May 13, 2004 with the COE where they talked about the schedule, the contracting process, funding and the possible snags that would keep this from being completed on time. It was a productive meeting and they now have a timeline that they are tracking. Chair asked if PSNH was involved with the meeting. Bird said there were representatives at the meeting and, subsequent to that, they had another meeting within PSNH to make sure its portion is moving forward. The city is constructing the disposal cell and it is supposed to be completed in July 2004 so it will be ready to receive the spoils once the dredging begins. COE (O'Donnell) asked what the city would do with the runoff such as rainwater. (before spoils are put in) Bird said he didn't have an answer but is sure it won't be left to pond. The site is fenced so it will not become a safety issue.

5. Other Business/Minor Projects:

a. Comprehensive (Upland) Dredge Spoil Disposal Study-planning (COE/PDA)

Following an earlier meeting with key players, COE (Chris Hatfield) asked the state whether it prefers to limit the scope for seeking upland disposal sites. Will the sites be in NH only or will they be in Maine and Massachusetts as well? The State chose the NH only option because going out of state creates legal and timing problems, which would extend the cost of the study. Chair stated this is for spoils that are not suitable for anything but upland disposal sites and the Piscataqua River spoils may fall into that category.

b. Piscataqua River: Turning Basin (COE-new project officer, May 13 meeting)

COE (Richard Heidebrecht) said the study is underway. The design of the turning basin will be 800' to 1000' radius to the northeast and the quantity and cost estimates are being developed. The COE has requested usage information. C-3 has sent the information but Sprague has not yet responded. Chair asked how long it has been since the request has been sent. COE expected information to be returned by June 10, 2004. Heidebrecht

said they have received information from the Portsmouth River Pilots which will factor in to the equation. Chair asked PDA to contact the entities that have not responded yet. DES/WM (Mike Sills) asked if there have been any studies to determine volume and type of material. COE said there have been no studies of that exact area however, they have documentation from nearby sites, Goat Island and Badger's Island and would assume a similar type of material exists in the proposed dredge site. The material found is sandy/gravel. Discussion followed to include guesses as to volume of dredged material and timeframe of the study. Estimates during this discussion ranged from 50 thousand yards to several hundred thousand yards of material. COE (Montoya) said the recon study should be complete by the end of the summer and then the feasibility study would begin from there. DES (Sills) said that the materials would be favorable for use in construction sites. Members referred to a map of the proposed dredging area and UNH (Fred Short) stated that there are significant eel grass beds in the far side of the river. Chair asked that the COE include Fred Short in the contact list for notification.

c. Simplex Shoal Planning (COE/F&G/NMFS/DES) COE (Bill Kavanaugh) had been asked to provide the Simplex Shoal dredging history to F & G. He has done that and has also provided answers to their follow-up questions. F&G has concerns about how disposal in the river will increase the need to dredge more frequently. Smith (F&G) said the Corps information based on the last 30 years seems to show that it doesn't matter whether disposal is off shore or in the river. He said F&G was prepared to withdraw its resistance to disposal in the river but is examining the effects on lobster migration in and out of the estuary. They received information on the timing of the migration from local lobstermen and also have records on file. F&G proposed a compromise where F&G would withdraw its resistance to disposal in the river if COE would wait until Dec. 1st to start any dredging. According to F&G information, lobster migration is complete by the end of November. COE (O'Donnell) asked whether dredge window could be extended past 15 March to allow COE flexibility. NMFS (Johnson) expressed concern about winter flounder migration in late March/early April and dredging impacts. COE asked F&G to share its information on lobster migration for COE environmental staff review; F&G will e-mail. COE (Kavanaugh) stressed the importance of long-term approval. Chair said that discussion is ongoing but not yet complete and ready for decision; he added the key parties are exchanging information. Liz Chamberlain (Sen. Sununu) was pleased that dialogue is occurring in advance of a crisis when oil tankers are restricted. DES (Richardson) said the DES River Management Plan will develop a protocol for adjusting permitting timeframes to facilitate long-term approvals. COE (O'Donnell) said that 50/50 cost sharing would apply to disposal out of the river. DES-WM (Sills) explained that the upland disposal study (see para 5a.) has already included a long-term beneficial use study in its scope.

d. Seabrook/Hampton – “Piping Plovers” – aftermath from Feb. 04 Maintenance Dredge (OEP/Seabrook/F&G/FWS-June 10 meeting)

Chair went through the history of issue (see attached memo). There were some lessons learned as far as when the towns should do their re-grading and cleaning of the beaches. A copy has been sent to DRED. DES/Wetland Bureau (Richardson) will issue a memo with all appropriate measures to all municipalities.

Discussion followed regarding maintenance dredging issues and the possibility of expired permits. Chair suggested the PDA work with the COE to be sure there is a current federal permit in effect. If the COE is doing their section 227 repair of erosion project, there is no sense maintenance dredging until the sea walls are up and the cut is filled. COE (Roach) suggested there be a meeting in July 2004 to discuss further.

e. added item: Shellfish Restoration-Middle Ground

Chair informed members of a Shellfish Restoration study that will be taking place at the Willows which is on the Hampton side of the harbor. The site is accessible by land and the study will begin in November 2004. It is being done by the University of Maine. Chair stated that the harbormasters need to know about this project. He asked PDA (Yeager) to ask Marconi about signage that might be required and U. Maine will supply what is required.

f. added item: Offshore Disposal.

Chair spoke about the fact that Cape Arundel disposal site has been closed, according to the EPA. Chair was contacted by EPA (Olga Guza) who would like to meet, sometime in July, with DES/WM, State of Maine, PDA, COE, NMFS and F&G.

g. Reorganization: New Hampshire Coastal Program becomes part of DES.

Chair told members that as the program is absorbed into DES there will be some changes in phone numbers and email addresses.

Chair asked if there were any other comments.

COE (Roach) asked about the UNH Pier and added that the COE put out a public notice a year ago and wonders if DES has an objection to issuing a permit. DES/Wetlands Bureau (Richardson) said he has not completed the review of that project. NMFS (Johnson) stated that at a meeting a few months ago there was a discussion about a more thorough look at eel grass beds and a suggestion that Fred Short be notified. Johnson suggested the Coast Guard extend their survey another 50' - 100' to cover it. Roach will suggest it to them. Chair asked if there were any other comments.

Roach asked if there are any objections to the mussel cultures project at the fishermen's coop. F&G (Smith) is drafting a license for the mussel culture project. Discussion followed.

h. Chair set the date for the next DMTF meeting as September 1, 2004, 1:00, NH F&G, Durham. Meeting adjourned 2:32 PM

Attachments: Attendance; Piping Plover and Dredge Sand placement report

ATTENDANCE, DMTF 30 June 04

Agency	Name	Phone	Fax	E-mail Address
DES/NHCP	Brian Mazerski	271-8811		bmazerski@des.state.nh.us
		559-0025 (Fridays)		
DES/NHCP	Mary Power	431-9366/559-0024		mary.power@nh.gov
USACE	Duban Montoya	978-318-8086		Duban.Montoya@usace.army.mil
Sen. Sununu	Liz Chamberlain	430-9560		Liz_Chamberlain@sununu.senate.gov
USACE	Richard Heidebrecht	918-318-8513		richard.w.Heidebrecht@usace.army.mil
NHF&G	Clare McBane	868-1095		cmcbane@nhfgd.org
UNH	Fred Short	862-5134		fred.short@unh.edu
Tetra Tech FW	George Willant	617-457-8259		gwillant@ttfwi.com
NHF&G	Bruce Smith	868-1095		bsmith@nhfgd.org
City of Dover	Steve Bird	516-6008		
ACOE	Rich Roach	978-318-8211		Richard.A.Roach@usace.army.mil
State Rep. Seabrook	Ben E. Moore	473-2076		
PDA	Leon Kenison	427-2836		l.kenison@peasedev.org
PDA	Michael Yeager	427-2836		m.yeager@peasedev.org
BPW/DOT	Matthew Moore	271-1638		mmoore@dot.state.nh.us
DES/WETLANDS	Frank Richardson	433-6183		frichardson@des.state.nh.us
NMFS	Mike Johnson	978-318-8375		mike.r.johnson@noaa.gov
USACE	Bill Kavanaugh	978-318-8375		william.m.kavanaugh@usace.army.mil
USACE	Ed O'Donnell	978-318-8375		e.o'donnell@usace.army.mil
DES/WM	Mike Sills	271-2907		msills@des.state.nh.us

Attachment 2

Summary of Meeting 10 June 2004

Piping Plovers and Dredge Sand placement at Seabrook/Sun Valley Beach

- Brian Mazerski reviewed the events that led to the May “crisis:” PDA/DPH maintenance dredging in Seabrook Harbor Feb 04; eventual transfer of spoils to beaches (transport completed by 1 March by Hampton/Seabrook); intent that storms would level dumped sand - did not occur; USFWS insisted that sand be regraded in May when plover activity was beginning; Seabrook, and later Hampton, leveled the sand with NHF&G supervision
- Contributing factors: minimal dredging budget, dumping sand without 10:1 slope; leveling activity outside allotted NH dredge window
- In ideal situation, US Army Corps issues permit and bears ultimate responsibility for implementation of permit conditions, following federal/state agency review; contractor (not town DPWs) move sand to the beach/grade it – during dredge window. USFWS and NHF&G advise on appropriate placement of spoils/sand.
- USFWS advice on piping plovers: poor nesting opportunity when sand not in natural format (slope); dredge material can be an attraction; April is normal “Set up” time for plover activity; town DPWs should regrade sand from seawalls and remove snow fencing by 1 April each year
- Other items for discussion:
 - NHF&G to provide DES Wetlands with “plover map”
 - Seabrook’s “Beach Management Plan” is nearly final and will be scrutinized by DES, USFWS and NHF&G to ensure piping plovers are adequately provided for
 - While drafting a wetlands permit for Seabrook, DES will draft a memo for all NH municipalities/state agencies (DRED) with Atlantic beachfront
 - Municipal emergency vehicles (ATV) should only be used where no piping plover chicks have hatched (exception: when human life-saving/police emergency exists)
 - Municipalities should closely coordinate their beach cleaning activities with NHF&G staff who may wish to oversee such activity
- Close coordination/communication is key to maintain endangered species (piping plover) and NH state/municipal beach assets. Use the following contacts:

CONTACTS - present at meeting(*)

Name	Agency	Phone	E-Mail
John Kanter*	NH Fish & Game	746-6716	jkanter@wildlife.state.nh.us
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Collis Adams*	DES Wetlands	271-4054	cadams@des.state.nh.us
Frank Richardson*	DES Wetlands-Coast	433-6183	frichardson@des.state.nh.us
John Starkey*	Seabrook DPW	396-1111	dpwseabrook@nh.org

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